

CONSTITUTION AND MEMBERS' DEVELOPMENT COMMITTEE

Report title	Standards Complaints - Arrangements for dealing with Members' Code of Conduct complaints and guidance on how to make a complaint.
Chief Executive or Director	Strategic Director, Finance Governance and Support
Date	27 April 2018
Purpose of the report	To seek approval of the suggested arrangements for dealing with Members' Code of Conduct complaints; the guidance on how to make a complaint, and for the arrangements to be incorporated within the Council's Constitution.
Summary of the report	<p>The report outlines the arrangements for dealing with Members' Code of Conduct complaints which sets out the process the Council has adopted for dealing with complaints that an Elected Member, Co-opted Member or Parish Councillor has failed to comply with the Member's Code of Conduct. All future complaint hearings will be dealt with by the Standards Committee.</p> <p>The report includes guidance for Members and members of the public with regard to how to complete the complaint form; examples of what will/will not be considered as a complaint, the complaint process, and possible outcomes if the complaint is upheld.</p>
Decision(s) asked for	To approve the suggested arrangements for dealing with Members' Code of Conduct complaints and guidance on how to make a complaint and that the arrangements be incorporated within the Council's Constitution.
Impact of decision(s)	The changes will provide members with greater clarity with regard to the criteria for making a Members' Code of Conduct complaint; the arrangements for dealing with Members' Code of Conduct complaints and provides guidance on how to make a complaint.

What is the purpose of this report?

1. To seek approval of the suggested arrangements for dealing with Members' Code of Conduct complaints; guidance on how to make a complaint, and for the arrangements for dealing with Members' Code of Conduct complaints to be incorporated within the Council's Constitution.

Why is this report necessary?

2. More detailed direction/clarity/guidance was needed within the Constitution with regard to the arrangements for dealing with Members' Code of Conduct complaints. There was also a lack of guidance for Members and members of the public on what happened to a complaint, once it had been submitted.

What decision(s) are being asked for?

3. The Committee are asked to approve the suggested arrangements for dealing with Members' Code of Conduct complaints and guidance on how to make a complaint and that the arrangements be incorporated within the Council's Constitution.

Why is this being recommended?

4. To clarify the arrangements for Members' Code of Conduct complaints and to provide guidance to Members and members of the public on how to complete the complaint form; examples of what will/will not be considered as a complaint, the complaint process, and possible outcomes if the complaint is upheld.

Other potential decisions and why these have not been recommended

5. No other options were considered.

Impact(s) of recommended decision(s)

Legal

6. There are no legal implications as a result of the proposed changes.

Financial

7. There are no financial implications arising from this report.

The Mayor's Vision for Middlesbrough

8. The report is in line with the Mayor's Vision for Middlesbrough.

Policy Framework

9. The changes do not adversely impact upon the Council's policy framework.

Wards

10. Not applicable. No wards are directly affected by this document.

Equality and Diversity

11. An Impact Assessment has not been completed, as the changes will not adversely impact on any individual group.

Risk

12. If the revised arrangements are not put in place, the Council will not have suitable procedures in place to deal with potential breaches of the Members' Code of Conduct.

Actions to be taken to implement the decision(s)

13. Once approved the proposed changes will be referred to Council for a decision.

Background to Proposal

Appendices

Appendix A – Arrangements for Dealing with Members' Code of Conduct Complaints

Appendix B – Guidance on how to make a complaint

Background papers

14. There are no background papers to this report.

